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December 9, 2022

BY ECF

Hon. Denise L. Cote
United States District Court
for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

In re Teladoc Health, Inc. Securities Litigation, No. 1:22-cv-4687 (S.D.N.Y.)

Dear Judge Cote:

On behalf of all defendants named in the above-referenced action (“Defendants”), we write, pursuant to Your Honor’s Individual Rules to request a two-week extension of the deadline for Defendants to file a motion to dismiss the Second Amended Class Action Complaint, from January 6, 2023 to January 20, 2023.

On December 6, 2022, pursuant to the Court’s August 23, 2022 Case Management Order (ECF No. 40), Plaintiffs filed a 206-page second amended class action complaint. ECF No. 63. This second amended complaint, among other changes, (i) expands the putative class period as compared to the first amended complaint, (ii) adds

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additional alleged misstatements not previously contained in the original complaint, (iii) adds a new plaintiff, Hui Ma, and (iv) adds two new individual defendants, Bimal Shah and Richard Napolitano, who were not previously named in any previous complaint, and only one of whom is a current Teladoc employee. Defendants request that the Court allow the extension, from January 6 to January 20, to enable them sufficient time, including over the holiday season, to review and respond to the lengthy amended complaint, including the new allegations, new alleged misstatements, and longer time period, and to coordinate a response among the various defendants.

Plaintiffs' counsel advises that plaintiffs consent to Defendants' request but seek a reciprocal extension to allow plaintiffs until March 3, 2023 to file an opposition. Defendants have no objection to that request. Defendants request that their reply, if any, would then be due on March 17, 2023 (consistent with the schedule initially set by the court, *see* ECF No. 66).¹

This is the first request by any party to extend the deadlines for responding to Plaintiffs' second amended complaint.

* * * * *

The parties appreciate the Court's consideration of this request.

Very truly yours,

/s/ Audra J. Soloway

Audra J. Soloway

cc: Counsel of Record (by ECF)

¹ Under the current schedule, Defendants' motion to dismiss is due on January 6, 2023, Plaintiffs' opposition to the motion to dismiss is due on February 3, 2023, and Defendants' reply to any opposition is due on February 17, 2023. ECF No. 66.

Granted.
Denise L. Cote
12/13/22